APPENDIX A

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

No. C77-631S

SEATTLE UNIVERSITY, a Washington nonprofit corporation, PLAINTIFF

vs.

UNITED STATES DEPARTMENT OF HEALTH, EDUCATION AND WELFARE, an agency of the United States of America, DEFENDANT

DECLARATORY JUDGMENT AND ORDER FOR PERMANENT INJUNCTION

This matter having come on regularly for hearing before the Honorable Morell E. Sharp, United States District Judge, on cross motions for summary judgment, and the Court having reviewed the pleadings and affidavits on file, reviewed the memoranda and briefs submitted by counsel for both parties, heard argument of counsel, and having entered its Findings of Fact and Conclusions of Law; NOW, THEREFORE, it is hereby

ORDERED, ADJUDGED AND DECREED, that the employment regulations, 45 C.F.R. Subpart E, §§ 86.51-.61, promulgated by defendant pursuant to

the Education Amendments of 1972, Title IX, § 901, *et seq.*, 20 U.S.C. § 1681, *et seq.*, and all actions and proceedings taken by defendant pursuant thereto with respect to Seattle University are invalid and void and of no effect whatsoever; and it is

FURTHER ORDERED, ADJUDGED AND DECREED, that the preliminary injunction previously granted in this cause is hereby made permanent, and, accordingly, the United States Department of Health, Education and Welfare, its Secretary Joseph Califano, its other agents and employees, and those persons in active concert or participation with them, are permanently enjoined from engaging in any investigation of Seattle University pursuant to any complaint filed with the defendant alleging discrimination against any employee of the University under Title IX, § 901 *et seq.*, the Education Amendments of 1972, 20 U.S.C. § 1681 *et seq.*, and regulations adopted by defendant pursuant thereto, 45 C.F.R. Subpart E, §§ 86.51-.61; from making or attempting to make any finding that Seattle University is in noncompliance with said regulations; from terminating or refusing to grant or attempting to terminate or refuse to grant federal financial assistance to Seattle University for any alleged noncompliance with said regulations; and from failing to duly and normally process Seattle University's applications for federal financial assistance; and it is

FURTHER ORDERED, ADJUDGED AND DECREED, that the bond posted by the University is exonerated; and it is

FURTHER ORDERED, ADJUDGED AND DECREED, that defendant may retain documents and materials produced by plaintiff pending final deter-

mination of the case after appeal or until further order of the Court; provided, that the United States Department of Health, Education and Welfare shall, during the appeal period, segregate plaintiff's materials from other files, and access to these materials and information contained therein shall not be accorded to any other agency or person.

The Clerk of this Court is instructed to send uncertified copies of this Order to all counsel of record.

DATED at Seattle, Washington, this 20th day of January, 1978.

/s/ Morell E. Sharp
United States District Judge

APPENDIX B

JEAN BUSHMAN, ET AL.
22229 - 98th West
Edmonds, Washington 98020
COMPLAINANT

vs.

SEATTLE UNIVERSITY
Broadway and East Madison
Seattle, Washington 98122
CONTRACTOR

NOTIFICATION OF RESULTS OF INVESTIGATION

On August 17, 1979, the Office of Federal Contract Compliance Programs, U. S. Department of Labor began an investigation of the allegation of sex discrimination made in the complaint of Jean Bushman, et al., filed on April 21, 1975. Our investigation has resulted in the following findings:

1. Seattle University is a government contractor and is not exempt from Executive Order 11246, as amended.

2. The complainant alleges the contractor violated its obligations under the nondiscrimination and affirmative action provisions of its Federal contract by discriminating against female instructors who have Masters Degrees in the School of Nursing, by paying them lower salaries than male instructors (who have Masters Degrees) in other schools.

3. Our investigation revealed that since there are no males in the School of Nursing there is no way

to compare salaries of males and females in that school. Based on the findings of this investigation, there was insufficient evidence to conclude that the contractor has violated its obligations under the non-discrimination and affirmative action provisions of Executive Order 11246, as amended. Therefore, the Department's processing of this complaint is hereby concluded.

As set forth in 41 CFR 60-1.24(c)(5), the Director of the Office of Federal Contract Compliance Programs may, for reasonable cause, reconsider or order the reconsideration of this determination. If you desire reconsideration you should address a written request to Director, OFCCP, U. S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210. Such a request should be accompanied by affidavits, signed testimony of supervisory or fellow workers, or other written documentation that would substantially alter our findings in this case.

On behalf of the United States Department of Labor

July 11, 1980
Date

/s/ Sandra H. Robinson

SANDRA H. ROBINSON
Assistant Regional Administrator
Office of Federal Contract
Compliance Programs
Region X

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